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PP
4-16-03

PATENT

Customer No. 22,852
Attorney Docket No. 08888.0512



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Daniel Scherman et al.) Group Art Unit: 1632
Serial No.: 09/931,007)
Filed: August 17, 2001)
For: SYSTEM FOR REGULATING IN)
VIVO THE EXPRESSION OF A)
TRANSGENE BY CONDITIONAL)
INHIBITION)

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

AMENDMENT AND RESPONSE TO 2nd RESTRICTION REQUIREMENT

This paper is responsive to the Office action mailed March 11, 2003, which set a shortened statutory period for response of one month. Thus, the response is due by April 11, 2003, and is timely filed.

IN THE CLAIMS:

Please cancel claims 84-100, without prejudice or disclaimer.

REMARKS

The Office has issued a new restriction requirement and withdrawn the restriction requirement set forth in the Office action mailed October 1, 2002. The Office asserts that pending claims 1-112 are directed to 9 allegedly separate and distinct inventions. Office action, pages 2-4. As a threshold matter, Applicants note that claim 19 is not included in any of the Office's groups and respectfully request clarification. Also, claim